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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/694,619	10/21/2000	Jan Fandrianto	KTI-005	9094

5073 7590 03/29/2005

BAKER BOTTS L.L.P.  
2001 ROSS AVENUE  
SUITE 600  
DALLAS, TX 75201-2980

EXAMINER
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JUNTIMA, NITTAYA

ART UNIT	PAPER NUMBER
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2663

DATE MAILED: 03/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/694,619		FANDRIANTO ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Nittaya Juntima		2663	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 January 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) 8,9,16,20,35,36,44,46 and 60 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7,10-15,17-19,21-24,28-34,37-43,45,47-53,57-59 and 61-64 is/are allowed.
- 6) ☒ Claim(s) 25-27 and 54-56 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. This action is in response to an RCE filed on 1/13/2005.
2. Claims 8-9, 16, 20, 35-36, 44, 46, and 60 have been cancelled as per applicant's amendments.
3. Claims 1-7, 10-15, 17-19, 21-24, 28-34, 37-43, 45, 47-53, 57-59, and 61-64 are allowed.
4. Claims 25-27 and 54-56 are presently rejected under 35 U.S.C. 102(e).

### ***Claim Objections***

5. Claim 26 is objected to because of the following informalities:
  - claim 26, line 4, "the communication channel" should be changed to "a communication session" to make the claim more clear since the actual channel is not transferred.

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 25-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Lamarque, III (USPN 6,674,746 B1).

Regarding claim 25, as shown in Figs. 8 and 9, Lamarque, III teaches a method for managing a conference call, comprising:

Determining whether a communication channel between a first station (an IP terminal) and a second station (another terminal must be on the call with the user) has been established (determination whether a channel supporting a call between a user's IP terminal and another terminal must be established prior to activating the call transfer, col. 7, ll 48-col. 8, ll 1).

If it is determined that the communication channel has been established, then transmitting a transfer request (a request to transfer) to a third station (a switch) before disconnecting the first station (the channel supporting the call between a user's IP terminal and another terminal must be established in order for the user to make a request to transfer the call from an IP terminal to a telephone and then disconnects the IP terminal from the call, col. 7, ll 48-col. 8, ll 11, 16-38).

Disconnecting the first station from the conference call (col. 8, ll 35-38).

Regarding claim 26, Lamarque, III teaches identifying the third station (a switch) to transfer the communication session based on network conditions affecting quality of service determined by the first station (since a request for call transferring is sent to a switch when the quality of service is unacceptable, therefore, the switch must be identified, col. 7, ll 48-col. 8, ll 11).

Regarding claim 27, Lamarque, III further teaches that the step of transmitting the transfer request to the third station includes providing a call-reference identifying the first station (an IP address of the terminal originating the request for the transfer must be included in the request to identify the request sender, col. 8, ll 7-9 and 27-30).

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Claims 54-56 are logic embodied in computer-readable media claims corresponding to method claims 25-27, respectively, and are therefore rejected under the same reason set forth in the rejection of claims 25-27, respectively.

### *Conclusion*

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Kalmanek, Jr. et al. (USPN 6,483,912 B1), disclosing various methods for call forwarding, three-way calling, and call transferring (Fig. 17- 30 and col. 55-60).

- Rogers et al. (USPN 5,617,471), disclosing a system for transferring a call (Figs. 1 and 2).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nittaya Juntima whose telephone number is 571-272-3120. The examiner can normally be reached on Monday through Friday, 8:00 A.M - 5:00 P.M.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nittaya Juntima  
March 22, 2005

*NJ*

  
RICKY NGO  
PRIMARY EXAMINER

*3/25/05*